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THE PROCEEDINGS

At the COUNCEL for

TRADE,

BETWEEN THE

MUSCOVIA COMPANY,

Monopolizers of the Trade of *GREEN-LAND*, and others,
Adventurers thither, for a *FREE-TRADE*.

Wherein you will first have the Companies Petition; Next,
The Councils Order thereupon: And then the Adventu-
rers Answer to the said Petition: As also, A Representati-
on of certain Masters of Ships, and Harpineers belonging
to the said Company; with a Reply thereunto by several
Masters and Harpineers appertaining to the Adventurers
to *Green land* for a Free Trade.

To the Right Honorable, the Council for Trade.

*The humble Petition of the Muscovia Company, Ad-
venturers to Green-land, and their Brethren of
Hull joyning with them:*

Sheweth



That whereas your Petitioners have made several addressees,
and been divers times called before this Honorable Coun-
cell concerning the Fishing in *Green land*, and repre-
sented unto your Honors the Right which they have to
the whole Continent, and true State of the Fishing there,
and did declare the great inconvenience and prejudice
which would ensue, if several Stocks were permitted to
Fish in one and the same Harbour; and therefore humbly desired that a Regu-
lation might be settled, which this Honorable Council after often Debating, and
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mature deliberation, did conceive both just and reasonable; and thereupon Resolved That the Petitioners only, and such as did subscribe in the said Stock with them, should be permitted to Fish in the Harbour of Bell Sound and Horn Sound, so as they sent out Shipping fully to fish the same, giving liberty to any other Merchants to Fish in Green-Harbour in a joynt Stock; which Resolves this Honorable Council were pleased to draw into a Report, and delivered the same into the hands of some of your own Members, for the speedie presenting thereof, which notwithstanding the Petitioners long expectation, and their humble suit, not any thing as yet being done therein.

And whereas the Petitioners upon the hopes they had that the same would have been Ordered by the Parliament, and the said Regulation duly observed, did with their Brethren of Hull who joyn with them, at their great cost and charges, set forth for the last Voyage well-nigh 2000 Tuns of Shipping, with men and all necessary materials, hoping by Gods blessing upon their endeavours, to make a full Voyage, and to bring in a sufficient quantity of Whale-Oyl and Fins compleatly to Furnish this Common-wealth with the said Commodities.

Norwithstanding which Resolves, Besides the Right which the Petitioners humbly conceive they have to the whole Fishing in Green-land; In contempt thereof, Tho. Horth, Rich. Warner & others, have this last year set our ships to the Harbor of Belsound, and have there very much interrupted and disturbed the Petitioners in their Fishing, so far, That of 6. Ships set out to Bell Sound by the Petitioners, being 1200 Tuns in burden Man'd with 340 men, 120 piece of Ordnance, the said Ships are returned neer two third parts empty, not having above 450. Tuns of Oyl in all of them; whereby their Voyage is as it were utterly spoiled, which tendeth to their exceeding great loss and damage; so that if some course be not found for the settlement of the said Regulation, and Relief for the damages sustained, and prevention for inconveniency and intrusion for the future, it will not only be a total discouragement to the Petitioners, but will likewise redound to the great damage of the Commonwealth, and the loss of that Country and Trade unto the Dutch and others.

The Petitioners do therefore most humbly pray this Honorable Councell duely and seriously to consider the Premises, being a business of much concernment to this Commonwealth; and that they would be pleased to use means that their said Report concerning the Regulation of Fishing in the Harbours, may be passed in Parliament, so that the Petitioners may be encouraged to proceed for the future in the said Whale-fishing, without fear of the like disturbance, and that the said Thomas Horth, and the other Intruders, may be commanded to make reparation for the exceeding great loss and damage done to the Petitioners.

And they as in duty bound, shall pray,
Richard Bateman, Governor.

John Ramsden } for our selves and
Lancelot Rogers } the Adventurers
for Hull.

Thursday,

Thursday, November 13. 1651. At the Councel for Trade at White-Hall.

Ordered,

That Mr. *Thomas Hearb* and Mr. *Richard Warner*, do give Answer in Writing to the severall Particulars, both of matter of Fact, and otherwise, that are contained in the Petition of the *Greenland Company*; and that this be delivered on Thursday, November 27. for their fuller information and assistance, wherein they are to have liberty to view, or take Copies of such Papers as have formerly been delivered in to this Councel, by the said Company; To the end that the said Defendants may likewise pertinently propound what things they judge may be best, to the settling, regulating, and increasing the said fishing.

To the Right Honorable, the Councel for Trade.

The humble Answer of Richard Warner, and others of London and Hull, Adventurers to Green-land, for Whale-Fishing.

To the Petition of the Muscovia Company, and others of Hull joyning with them in their Adventure to Green-land.

VHereas the Muscovia Companie, in their Petition to your honors, complayne against these Respondents for setting out shippes, last yeare to Fish in *Belsund* in *Greenland*, alledging the same to be don in contempt of severall resolves made by your honors.

These respondents say that the resolves made by your honors, about the *Greenland* fishing were not declared to be any waies Obligatory, neither did you require obedience to them from these Respondents, But did declare them to be onely your oppinions in the case, which you intended to offer to the Parliament, there to be debated; and these respondents conceive that 'tis very uncertain whether the Parliament, will concurr with you in opinion; If these resolves shoud be offered to them, Which these Respondents hope upon second and further Considerations wilbe Altered by your selves, However these Respondents conceiving it to be their right to fish where they please in *Greenland*, though they could not have bin charged with any crime, for using that Liberty, so long as the Parliament put no restraint upon them, neither immediately by themselves, nor by any subordinate authority, And these Respondents are ready to yeild all due obedience to your honours according to the power entrusted to you by the Parliament.

But these Respondents say, that in case your resolves had bin obliging they

they were not disobeyed, for you resolved that the Muscovia^s Companie onely and such as did subscribe in their Joynt stock should be permitted to fish in the Harbour of Belsound and Hornesound, so as they sent out Shipping fully to fish the same: and these Respondents say that the Harbour of *Belsound* where these respondents fished was not fully fished both by the 1200. Tunn of Shipping sent thither by the said company, and the 600 Tun of Shipping sent thither by the Respondents; For either through want of men, or materials, the said Companies Ships lost near as many Whales after they had struck them, as they killed, and more Whales that came into the said Harbour and were discovered, went out again unstricken, then were stricken; notwithstanding the dilligence and industerie of the Respondents, with their four Ships, which was no small addition towards the full Fishing of the said Harbour; and yet by the blessing of God these Respondents, had a reasonable good Voyage.

And whereas the said Company alledged that they were disturbed and interrupted in their Fishing by these Respondents, They these Respondents do answer, and are ready to prove, that there was no disturbance of the said Companies fishing to their least prejudice, the said Harbour being so spacious that several Companies may fish therein, and many times not be seen each to the other, it being 30 miles in length, and about 15 miles in breadth, and there was no contest about the striking of any Whale in the whole time of the fishing, save only that the said Companies Ships took away one Whale from some of the Respondents after she was killed, and the Respondents quietly suffered the same, trusting to their legal remedy, rather then they would break the peace, or occasion any disturbance or interruption in the fishing, whereby much prejudice would have accrued to both Parties; But these Respondents peaceably followed their labour, most commonly at a great distance from any of the ships or boats of the said Company, and if their ships did return not above a third part laden with Oyl, it was not any ways occasioned by these Respondents, for they lost not one fish by any contest or controversie, neither was it for want of a sufficient number of Whales coming into the said Harbour, though it was the scarcest year for Whales that hath been this many years, and God was pleased much to prosper the endeavours of others, and notwithstanding, there was not the usual plenty of Whales in the said Harbour this year, yet there was more Oyl brought from thence this year, then ever was formerly in one year.

As to the right to all the fishing in *Green-land*, pretended to be in the said Company, whereby they take upon them to call others Intruders; These Respondents say, that in case your Honors had not declared that you would not Judge of their pretended Right, these Respondents could make it appear. That their own Right to the said fishing in any of the Harbours, is equall to the Right of the said Company; and these Respondents are willing to submit their Right to a Tryal at Law.

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As to the Regulating and increasing the Trade of Fishing in Green-land, these Respondents humbly propound

1. That all *English* men may be under the same subjection and protection of all the Laws of *England*, both as to their Persons and Estates, during their being in *Green-land*, or any of the Harbours thereof, that they are during their abroad in *England*, respect being always had to the Tryal of several offences, in the several Courts that shall be appointed for the same by the Parliament.

2. That it may be declared that every *English* man that first comes, may freely chuse his own Harbour and place of fishing, as he conceives best for his own advantage, and that no other shall disturb him for that year, under some great penalty; and thus, many hundred Fishermen may easily fish in the narrow River of Thames quietly, without any quarrels or contentions about the best places for fishing; but he that first comes, chuses where he will set his Nets, and is not disturbed by any other (and though the manner of Whale-fishing be different, yet with some additional Rule of Regulation, the case will be the same) and this the Respondents are informed, is the Usage in *Newfound-land*-fishing, and in all uninhabited Countries, the first Possessor is, and always hath been accounted the just proprietor during his continuance there; and if the whole Countrey be left after it be possessed, without any Inhabitant, it is free again for the first Possessor: and this is the case of *Green-land* every fishing time.

3. That to prevent all differences, quarrels or contentions that may arise in or about the fishing, That these ensuing Rules may be made Laws by the Parliament.

1. That whosoever first Strikes any Whale, if his Iron hold untill the Whale be killed, or untill some of his Company strikes her, so as to hold untill she be killed, That that Whale shall be esteemed and taken to be the proper goods of him that so struck her, and of his Company, and that in case the Whale Struck be broken loose again, That it be free for any Fisher, as if it had never been stricken.

2. That in case any boat have stricken a Whale and be in pursuit of it, That all other boats not in pursuit, be bound under some Penalty to give way to the boats pursuing, whose Irons stick and hold in the whale.

3. That in case several boats belonging to several Stocks, happen to strike several Whales at the same time, and be in pursuit of them, and one boat is forced to cross the way upon another, That then the boats upon which the other boats are forced to run cross, be bound under a Penalty to vicer their Ropes and suffer the other boats to pass over them without hindring the pursuit.

4. That when any Whale is killed and marked with any Companies Mark, it may be esteemed the proper goods of that Company, whether it be left moored or unmoored, if it remains in the Harbour, but if any dead Whale be found at Sea, not fastened to any boat or ship, that it be free for the first possessor of it.

5. That

5. That notwithstanding the Custom of uninhabited places that the first Comer that possesseth himself of any thing, is the reputed Owner, yet for the advantage of fishing, it may be Felony for any man to purloyn or steal, or spoyl, or destroy the Casks, Shallops, Coppers, or any other goods of any person or Company that shall be left in *Green-land*, marked with a distinguishing Mark.

These Rules being made Laws, These Respondents humbly conceive that all pretence of hazardous quarrels and all other inconveniencies by several Stocks fishing in the same Harbour, will be taken away, and the Adventurers to *Green-land* will be increased, whereby many more Ships will every year be set out for that Fishing Voyage, then have been formerly, and thereby Seamen and Navigation will increase, to the great advantage of this Commonwealth; and the adventure being hopefull for gain, the Trade can never probably be lost to the Dutch or any others, whilst there are any Merchants in *England*. All which is humbly submitted to your Honors Grave Judgements.

Signed

Richard Warner, *in the behalf of himself and others*
Adventurers to *Green-land*.

To the Honorable, the Councell for Trade.

The humble Representation of divers Masters of Ships, and Harpineers, who have for many years past, been imployed in the Whale-fishing Voyage to Green-land, in the Service of the Muscovia Company, Adventurers thither.

WHereas we declared unto this Honorable Councell the last year, what great inconvenience and prejudice would ensue, if several Interests should be permitted to fish in one and the same Harbour; And your Honors were pleased (both Parties being present) to Resolve, That the Harbours of *Bell-sound* and *Horn-sound*, should be enjoyed for the ensuing year, by the said Company and such as should adventure with them solely to themselves; whereupon we were encouraged to proceed in the fishing as formerly we did, in the said Companies Service; yet contrary to your Honors Resolves, and our expectation, two ships belonging to *Thomas Horth*, and two set out by *Richard Warner*, intruded into *Bell-sound*, and did there fish to our great prejudice; notwithstanding there was Shipping, Men and Boats sufficient set forth by the said Company fully to fish that Harbour, where we humbly conceive (by the blessing of God upon our endeavours) we might have killed as many or more Whales as were taken both by us and them if they had not been there, whereby we and many others who were imployed, have lost the greatest part of our expected means, to our great damage and discouragement for the future.

And whereas we have received so great detriment by their intrusion and competition, Therefore do humbly offer unto this Honorable Councell, as our opinions, and upon very good grounds, that if it shal not please

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please your Honors to use means to settle a Regulation in that fishing. We shall be necessitated to leave off the Voyage; not only in regard we are unwilling to engage in contentions and quarrels with our own Countrymen, and because of the Suits and contentions which will thereby arise, as of late it hapned for a drift Whale taken up in *Green-land* in *Anno. 1650.* But also our allowance or Salaries will thereby fall so short, that we shall not be able to maintain our wives and families therewith.

Which Reasons we humbly thought fit to offer unto your Honors in Writing, because of our unfitness to express our selves verbally; and for prevention of giving offence to this Honorable Council, by any one who shall be passionate.

So most humbly desiring your Honors to take the Premises into your grave and serious consideration; and that you will be pleased speedily to settle such a Regulation in the fishing in *Green-land*, that your Supplicants may in the future proceed in their usual Employment, without the like Intrusion; otherwise we shall be necessitated to follow some other Employment for our livelyhoods: All which we humbly submit to your Honors wisdom.

And as in duty bound shall ever pray, &c.

12 Novemb. 1651.

William Hare
Philip Ewers
Abraham North
Robert Sayers junior
Stephen Fruer
Joseph Lambc
Richard Balooe
The Mark of *Willi-*

am W Hum-
phreys
The Mark of I. C.
Cater
John Mott
William Stannard
Allan Davinson.

Copia vera, Exam. by me John Boswell.

To the Right Honorable, the Councell for Trade.

The humble Answer of divers Masters of Ships and Harpineers that have for many years been imployed in the Whale-fishing Voyage in Green-land, To the Representation of others of the like Employment

WHereas it is alledged in the said Representation, That the *Muscovia Company* set out sufficient Shipping last year to fish the Harbours of *Bell-sound* and *Horn-sound* in *Green-land*; 'Tis humbly Answered, That it is ready to be proved, that neer three times as many Whales that were seen and discovered, escaped out of the Harbour of *Bell-sound*, as were taken this year; which would not have been, if that Harbour had been sufficiently Fished; and near as many Whales that were killed by the Company in *Bell-sound*, escaped through the insufficiency of men and materials.

And

And whereas they alledg that they might have killed as many more Whales as were taken by the said Representers ; and those whom they call Intruders , if it had not been for the Intruders. Tis humbly answered, That *Beilsound* being 30 miles in length, and 15 miles in breadth, the several Stocks fishing there, fish at such a distance each from other, that it is altogether without prejudice one to another : And these Respondents do averr upon their Reputations, That no one Whale escaped out of the said Harbour this year by reason of any Competition between these Respondents and the Authors of the Representation:

And whereas it is alledged in the said Representation, That by others fishing in the said Harbours, they have lost their Means, and their Wages are so decreased, and will so decay, if others besides the *Muscovia* Company fish there , that they shall be forced to leave that Imployment.

The Respondents Answer , That since other *English* men besides the Company have fished in the said Harbours , those Harpineers that had but 8*l.* Wages for their Voyage, have 16*l.* Wages.

And the said Company have hitherto given little encouragement to *English* men to follow that Imployment , because they have valued the *Biskiners* above *English* men , and given them 20*l.* Wages for a Voyage, when they have given *English* men not above 10*l.* and yet these Respondents do aver that many *English* men are as able skilful Harpineers as any *Biskiners* imployed by the Company; and these Respondents desire so the publick good of this Commonwealth in breeding Seamen and skilfull Fishermen, to breed up , and incourage *English* men in the Imployment of Harpineers.

And certainly when there shall be most Adventurers for *Green-land*, the Wages of Harpineers will be most advanced, every man then striving to get the most skilfull Harpineer ; and tis not to be supposed in the Rules of Trade, That in case any Trade be free for all Merchants , and very good gainfull Returns be probable, That such a Trade can fall or decrease for want of Adventurers in it, and that's the case of the *Green-land* Trade, though tis suggested by these Representers, That they will in anger cease from their Trade , if they have not their own or rather their Masters wills ; as if the Commonwealth were beholding to them in following the *Green-land* Trade for the Commonwealths sake only.

As to the Reasons for what is alledged in this humble Answer to the said Representation , These Respondents humbly submit them to your Honors, and are ready to prove the matter of Fact therein alledged, when your Honors shall require the same.

<i>John Piebus</i>	} Masters.	<i>Abraham Duke</i>	} Mates.
<i>John Mandry</i>		<i>Martin Croshet</i>	
<i>Will. Bellamy</i>		<i>John Dod, Overseer.</i>	

In behalf of themselves, and other Masters and Harpineers of *London* and *Hull*, using the Trade for *Greenland*. 'Tis

TIs humbly desired by the Free Adventurers for *Greenland*, That all may take notice of the *Proposals* humbly made by them in reference to the Freedom of that *Fishing Trade*, and to answer all Objections against them, arising from fears that the Trade will bee lost: unless the *Muscovia Company* bee encouraged, by being suffered to engross that Trade.

It was humbly proposed by the free-Adventurers for *Greenland*, That they would give sufficient Security for Seven years time, to send out as many Tun of shipping for the *Fishing Voyage* to *Greenland*, as the *Muscovia-Company* hath sent (one year with another) these Ten years, and yet leave the *Muscovia-Company* and all others free to Adventure what shipping they please for that Voyage.

And the said Adventurers humbly hope, That by this it will appear that they seek not themselves only, but the Publique good, and encouragement of Industry and Ingenuity, in endeavouring to make *Fishing* free for those that will be most ingenious and industrious in the management of it, all Englishmen having an equall right thereunto.



F I N I S.

